

FILED

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U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

v.

CALVIN CROCKETT MULLINS,
KATRINA ANN SEARS,
JAMES RICHARD CUTRIGHT, aka
"JIMMY," and
NOAH JACOB GRAHAM,

Defendants.

Criminal No. 2:21-CR-35 TSK/MJA

Violations: 18 U.S.C. § 922(d)(1)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(g)(3)
18 U.S.C. § 922(j)
18 U.S.C. § 924(a)(2)
26 U.S.C. § 5861(d)
26 U.S.C. § 5871

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Unlawful Distribution of a Firearm)

On or about October 15, 2019, in Barbour County, in the Northern District of West Virginia, the defendants **CALVIN CROCKETT MULLINS** and **KATRINA ANN SEARS**, knowingly sold a firearm, to wit: a Diamondback Firearms, model DB15, multi caliber semi-automatic rifle, serial number DB1735270, to a person, knowing and having reasonable cause to believe that said person had been convicted of a crime punishable by imprisonment for a term exceeding one year; in violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT TWO

(Unlawful Possession of a Firearm)

On or about October 15, 2019, in Barbour County, in the Northern District of West Virginia, defendant **CALVIN CROCKETT MULLINS**, knowing that he was an unlawful user of and addicted to a controlled substance, that is methamphetamine, a Schedule II controlled substance, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Diamondback Firearms, model DB15, multi caliber semi-automatic rifle, serial number DB1735270, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT THREE

(Unlawful Distribution of a Firearm)

On or about February 21, 2020, in Barbour County, in the Northern District of West Virginia, the defendants **CALVIN CROCKETT MULLINS** and **JAMES RICHARD CUTRIGHT, aka "JIMMY,"** knowingly sold a firearm, to wit: a Riverside Arms Co., model 120, 16 gauge caliber shotgun, unknown serial number, to a person, knowing and having reasonable cause to believe that said person had been convicted of a crime punishable by imprisonment for a term exceeding one year; in violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT FOUR

(Unlawful Possession of a Firearm)

On or about February 21, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALVIN CROCKETT MULLINS**, knowing that he was an unlawful user of and addicted to a controlled substance, that is methamphetamine, a Schedule II controlled substance, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Riverside Arms Co., model 120, 16 gauge caliber shotgun, unknown serial number, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT FIVE

(Unlawful Possession of a Firearm)

On or about February 21, 2020, in Barbour County, in the Northern District of West Virginia, defendant **JAMES RICHARD CUTRIGHT, aka “JIMMY,”** knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, that is Driving While Under the Influence of Alcohol – Third Offense, in the Circuit Court of Barbour County, West Virginia, in case number 16-F-6, on or about April 21, 2016; did knowingly possess in and affecting interstate commerce a firearm, to wit: a Riverside Arms Co., model 120, 16 gauge caliber shotgun, unknown serial number, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT SIX

(Possession of Unregistered Firearm)

On or about February 21, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALVIN CROCKETT MULLINS and JAMES RICHARD CUTRIGHT, aka “JIMMY,”** did knowingly possess a Riverside Arms Co., model 120, 16 gauge caliber shotgun, unknown serial number, with a barrel twelve and three-quarters inches in length and an overall length of nineteen and three-quarters inches, that was not registered to either **CALVIN CROCKETT MULLINS and JAMES RICHARD CUTRIGHT, aka “JIMMY,”** in the National Firearms Registration and Transfer Record; in violation of Title 26, United States Code, Sections 5861(d) and 5871.

COUNT SEVEN

(Unlawful Possession of a Firearm)

On or about June 21, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALVIN CROCKETT MULLINS**, knowing that he was an unlawful user of and addicted to a controlled substance, that is methamphetamine, a Schedule II controlled substance, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Taurus, model 44, 44 magnum caliber revolver, serial number L0420109, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT EIGHT

(Possession of a Stolen Firearm)

On or about June 21, 2020, in Barbour County, in the Northern District of West Virginia, defendants **CALVIN CROCKETT MULLINS and NOAH JACOB GRAHAM**, did knowingly possess a stolen firearm, to wit: a Taurus, model 44, 44 magnum caliber revolver, serial number L0420109, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe that the firearm was stolen; in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

FORFEITURE ALLEGATION

Gun Control Act

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1), the government will seek the forfeiture of any firearm and any ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922(g) including:

1. A Taurus, model 44, 44 magnum caliber revolver, serial number L0420109; and
2. Any associated ammunition.

A true bill,

/s/
Foreperson

/s/
WILLIAM J. IHLENFELD, II
United States Attorney

Brandon S. Flower
Assistant United States Attorney